

REMARKS

Claims 1-8, 10, 13-16, and 27 are pending in the present application. Claims 9, 11, 12, and 17-26 have been withdrawn from consideration. Claim 1 has been amended to more clearly define the invention. No new matter has been added. Applicants respectfully request reconsideration and examination in view of the above amendments and the following remarks.

Claim rejections 35 U.S.C. §103(a)

Claims 1-8, 10, and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Miner et al. (U.S. 6,047,053, hereafter "Miner") in view of Miner et al., (U.S. 6,021,181, hereafter "'181 Patent"). Applicants respectfully submit that the Miner in view of the 181 Patent does not teach or suggest each and every feature of Applicants' claimed invention as recited in amended independent claim 1.

Claim 1

Applicants' claimed invention as recited in amended claim 1 is drawn to a method of screening a caller prior to establishing a telephone connection between the caller and a callee. The method comprises, among other features, (1) receiving an indication from the callee of one or more callers that are authorized to be directly connected to the callee when calling the callee, wherein the indication includes an instruction to collect voice samples of the authorized callers, (2) receiving the name of the callee when spoken by the caller, wherein the callee is a person, (3) identifying the caller by analyzing the voice of the caller received when the caller speaks the name of the callee without asking the caller to self identify, and (4) routing the telephone call to a telephone terminal for the callee if the identified caller is authorized to be directly connected to the callee.

In contrast, Miner describes an electronic assistant for assisting a subscriber with his or her communications by carrying out delegated tasks. The Office Action states that Miner discloses receiving an indication from the callee of one or more callers that are authorized to be directly connected to the callee when calling the callee and recites Fig. 28 of Miner in support of this assertion. Applicants respectfully disagree and assert that although Fig. 28 describes a dialogue for creating a contact for a subscriber, Fig. 28 fails to describe or suggest whether the contacts are authorized to be directly connected to the callee when calling the callee, wherein the

indication includes an instruction to collect voice samples of the authorized callers. The reference Miner makes no mention of an indication that includes an instruction to collect voice samples of the authorized callers. Miner does not describe a distinction in voice sample collection. (See Miner column 33, lines 55-60). The contact entry described in Miner does not describe authorized direct connection to a callee upon calling the callee based on instructions from the callee to collect voice samples of authorized callers as recited in Applicants' amended claim 1. (See Miner column 39, lines 25-45).

Further, the Office Action states that Miner discloses identifying the caller by analyzing the voice of the caller received when the caller speaks the vocalization. Applicants respectfully submit that Miner describes identifying a caller by asking the caller to say his/her name. (See Miner, column 33, lines 44-60). However, Miner does not describe or suggest (3) identifying the caller by analyzing the voice of the caller received when the caller speaks the name of the callee without asking the caller to self identify as recited in Applicants' amended claim 1.

Still further, the Office Action states that Miner discloses (4) routing the telephone call to a telephone terminal for the callee if the identified caller is authorized to be directly connected to the callee. Applicants respectfully disagree and submit that even if a caller as described in Miner, has a higher priority, the higher priority indication does not determine whether the call is routed to the callee. The callee must still authorize access and routing of the call to the callee. Miner only describes an attempt to establish a direct connection for high priority callers. (See Miner column 39, lines 59-62 and column 39, lines 10-15). Thus, Applicants' amended in claim 1 is allowable over Miner in view of the 181 patent for at least these reasons.

Additionally, the Office Action acknowledges that Miner fails to disclose that the vocalization is the name of the callee. However, the Office Action relies on the 181 patent to resolve the deficiencies of Miner and states that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Miner with a method wherein the vocalization is the name of the callee. Applicants respectfully disagree and submit that the cited portion of the 181 patent describes that the callee is a machine and thus, does not describe or suggest routing the call to the callee who is a person as recited in Applicants' amended claim 1. (See 181 patent column 11, lines 36-53).

Applicants further submit that amended claim 1 is nonobvious over Miner in view of the 181 patent because there is no suggestion or motivation from the references as a whole for a

person of ordinary skill to have modified and/or combined Miner and the 181 patent to realize the invention as recited in Applicants' amended claim 1. Although only subscribers described in the 181 patent may access "subscriber functionality," any caller may leave a message for a subscriber. (See 181 patent at column 11, lines 42-49). Thus, in the 181 patent, there is no reason to verify the identity of a caller unless the caller attempts to access the "subscriber functionality" of the system, i.e., the callee is not a person. Thus, as described in the 181 patent, a caller who responds with the name "Jane" will be routed to an answering machine. As such, Applicants submit that, even if Miner in view of the 181 patent describes receiving the name of the callee and identifying the caller by analyzing the voice of the caller speaking the name of the callee, which Applicants do not concede, there is no suggestion or motivation to modify Miner to include "wherein the callee is a person" as recited in Applicants' amended claim 1.

Dependent claims

At least because claims 2-8, 10 and 27 inherit the language of amended claim 1, Applicants respectfully submit that claims 2-8, 10 and 27 are also allowable over Miner in view of the 181 patent.

Claims 13-16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Miner combined with the "181 Patent in view of O'Brien (U.S. 5,479,489, hereafter "O'Brien"). At least because, as described above, amended claim 1 is allowable over Miner in view of the 181 patent and claims 13-16 inherit the language of amended claim 1, Applicants respectfully submit that claims 13-16 are also allowable over Miner in view of the 181 Patent and O'Brien.


Conclusion

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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